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11 **UNITED STATES DISTRICT COURT**
12 **FOR THE CENTRAL DISTRICT OF CALIFORNIA – SOUTHERN**
13 **DIVISION**

14 WARREN SUMNER, individually, and
15 on behalf of other members of the
16 general public similarly situated,

17 Plaintiff,

18 vs.

19 TOYS R US, INC., a Delaware
20 corporation, and DOES 1 through 10,
21 inclusive,

22 Defendants.

Case Number: SACV 8:09-000025-
DOC (ANx)

[Assigned to the Hon. Judge David O.
Carter]

**ORDER GRANTING MOTION FOR
FINAL APPROVAL OF A CLASS
ACTION SETTLEMENT**

Date: August 29, 2011
Time: 8:30 a.m.
Place: Courtroom 9D

KAWAHITO SHRAGA & WESTRICK LLP
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ORDER

On August 29, 2011, this Court heard Plaintiff's Motion for Final Approval of Class Action Settlement and Motion for Attorneys' Fees and Costs and Class Representative Enhancement Payment. Kawahito Shraga & Westrick LLP appeared as Class Counsel on behalf of Plaintiff and the prospective Class Members. Jackson Lewis LLP appeared on behalf of Defendant.

IT IS HEREBY ORDERED THAT:

1. The proposed class of all persons who work or worked for Defendant in the State of California and were classified by Defendant as exempt Store Managers from December 5, 2004 through April 11, 2011;

2. The class action settlement set forth in the Amended Joint Stipulation of Class Action Settlement ("Settlement Agreement"), entered into among the parties and their counsel, is finally approved as it appears to be proper, to fall within the range of reasonableness, to be the product of arms'-length and informed negotiations, to treat all Class Members fairly, and to be valid;

3. The Court previously approved the form and content of the Notice of Pendency of Class Action and Settlement and Claim Form to Class Members (collectively, "Class Notice"). The mailing of the Class Notice was consistent with this Court's previous Order;

4. The Court grants final approval of attorneys' fees of \$192,000;

5. The Court grants final approval of costs and expenses to Class Counsel of \$20,096.72;

6. The Court grants final approval of a service payment of \$12,500, payable to Class Representative Warren Sumner;

7. The Court grants final approval of \$20,000 to be paid to the State of California pursuant to California Labor Code § 2698, et seq.;

1 8. The Court grants final approval of \$10,000 to be paid to the Claims
2 Administrator;

3 9. The Court directs the Claims Administrator to pay the valid claims
4 made by Class Members; and

5 10. The Court directs any residual funds to be distributed to charity as
6 outlined in the Settlement Agreement;

7
8 Dated: August 30, 2011

David O. Carter

Hon. David O. Carter
United States District Judge

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